



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Hi-Grade Logging, Inc.--reconsideration
File: B-222230.2; B-222231.2
Date: July 18, 1986

DIGEST

Request for reconsideration that alleges facts and makes arguments that could have been presented at the time of the protest does not provide a basis for reconsideration.

DECISION

Hi-Grade Logging, Inc. (Hi-Grade), requests that we reconsider our decision in Hi-Grade Logging, Inc., B-222230, B-222231, June 3, 1986, 86-1 CPD ¶ _____, that its bid properly was rejected as late under the Pinky Salvage and Kubadub Salvage Timber Sales conducted by the Forest Service, Department of Agriculture. We deny the request for reconsideration.

Hi-Grade hand-delivered its bid moments after the bid opening officer declared the 10 a.m. time set for bid opening had arrived and commenced opening bids. Hi-Grade alleged that the bid opening officer's declaration of the time was inaccurate, and that its bid was delivered before the time set for bid opening. We held that the bid opening officer's declaration of the bid opening time was determinative of lateness unless shown to be unreasonable under the circumstances. We found that the protester failed to make such a showing and therefore its bid properly was rejected as late.

In its request for reconsideration, Hi-Grade contends for the first time that, in this case, the Forest Service departed without notice from its established practice of setting the bid opening room clock based on a telephonic time recording. Hi-Grade asserts that it relied on this practice being followed and alleges that the bid opening room clock was approximately 1 minute ahead of the time recording. Hi-Grade argues that, under these circumstances, the bid opening officer's declaration of bid opening time was unreasonable.

Our Bid Protest Regulations require that a request for reconsideration contain a detailed statement of the factual and legal grounds for reconsideration, specifying any errors of law or information not previously considered. 4 C.F.R. § 21.12(a) (1986). Information not previously considered means information that was not available to the

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protester when the initial protest was filed. Marco Crane & Rigging Co.--request for reconsideration, B-220618.2, Nov. 27, 1985, 85-2 CPD ¶ 612. Our regulations do not contemplate the piecemeal presentation of evidence, information, or analyses. Where a request for reconsideration alleges facts and makes arguments that could have been presented at the time of the protest, the request does not provide a basis for reconsideration. See Joseph L. De Clerk & Assocs., Inc.--Reconsideration, B-221723.2, Feb. 26, 1986, 86-1 CPD ¶ 200.

If the Forest Service had an established practice of setting its clocks according to the telephonic time report, Hi-Grade clearly knew this fact when it filed its initial protest. It was obvious from the agency report responding to the protest that the Forest Service did not call the telephonic time recording until after bid opening, and if Hi-Grade perceived this action to be contrary to the agency's established procedure for checking the bid opening time, Hi-Grade should have raised this argument in the initial protest. We will not consider the argument now.

The request for reconsideration is denied.

for *Seymour Spoo*
Harry R. Van Cleve
General Counsel